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HOUSE BILL 1042

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Thomas C. Taylor

AN ACT

RELATING TO WORKERS' COMPENSATION; INCLUDING AN ATHLETIC  
TRAINER IN THE DEFINITION OF HEALTH CARE PROVIDER; AMENDING A  
SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 52-4-1 NMSA 1978 (being Laws 1983,  
Chapter 116, Section 1, as amended) is amended to read:

"52-4-1. DEFINITION--HEALTH CARE PROVIDER.--As used in  
Chapter 52 NMSA 1978, "health care provider" means:

A. a hospital maintained by the state or a  
political subdivision of the state or any place currently  
licensed as a hospital by the department of health that has:

- (1) accommodations for resident bed patients;
- (2) a licensed professional registered nurse  
always on duty or call;

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underscoring material = new  
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- 1                   (3) a laboratory; and
- 2                   (4) an operating room where surgical
- 3 operations are performed;
- 4                   B. an optometrist licensed pursuant to the
- 5 provisions of Chapter 61, Article 2 NMSA 1978;
- 6                   C. a chiropractor licensed pursuant to the
- 7 provisions of Chapter 61, Article 4 NMSA 1978;
- 8                   D. a dentist licensed pursuant to the provisions of
- 9 Chapter 61, Article 5 NMSA 1978;
- 10                  E. a physician licensed pursuant to the provisions
- 11 of Chapter 61, Article 6 NMSA 1978;
- 12                  F. a podiatrist licensed pursuant to the provisions
- 13 of Chapter 61, Article 8 NMSA 1978;
- 14                  G. an osteopathic physician licensed pursuant to
- 15 the provisions of Chapter 61, Article 10 NMSA 1978;
- 16                  H. a physician assistant [~~registered~~] licensed
- 17 pursuant to the provisions of Section 61-6-7 NMSA 1978;
- 18                  I. a certified nurse practitioner licensed pursuant
- 19 to Section 61-3-23.2 NMSA 1978;
- 20                  J. a physical therapist licensed pursuant to the
- 21 provisions of Chapter 61, Article 12 NMSA 1978;
- 22                  K. an occupational therapist licensed pursuant to
- 23 the provisions of Chapter 61, Article 12A NMSA 1978;
- 24                  L. a doctor of oriental medicine licensed pursuant
- 25 to the provisions of Chapter 61, Article 14A NMSA 1978;

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M. an athletic trainer licensed pursuant to the provisions of Chapter 61, Article 14D NMSA 1978;

~~[M.]~~ N. a psychologist who is duly licensed or certified in the state where the service is rendered, holding a doctorate degree in psychology and having at least two years clinical experience in a recognized health setting, or who has met the standards of the national register of health services providers in psychology;

~~[N.]~~ O. a certified nurse-midwife licensed by the board of nursing as a registered nurse and registered with the behavioral health services division of the department of health as a certified nurse-midwife; or

~~[O.]~~ P. any person or facility that provides health-related services in the health care industry, as approved by the director."